

### **REMARKS**

The Final Office Action of July 28, 2004 has been received and carefully reviewed. Claims 1, 9, 15, and 23 have been amended above, and claims 1-28 are currently pending in the application. Entry of the above amendments is requested as presenting the claims in condition for allowance or in better form for consideration on appeal and complying with formal requirements set forth in previous Office Actions, without requiring further searching and without adding new matter. In this regard, Applicants note that the examples illustrated in the drawings clearly illustrate hydrogen barriers formed over the ferroelectric capacitors, which are in contact with sides thereof, whereby no new matter has been added. Reconsideration and allowance of the pending claims is respectfully requested in view of the above amendments and the following remarks.

#### **I. STATEMENT OF THE SUBSTANCE OF INTERVIEW OF AUGUST 10, 2004**

A brief telephonic interview took place on August 10, 2004 between Applicants' representatives Eric Highman, Reg. No. 43,672 and Tom Eschweiler, Reg. No. 36,981, and the Examiner Sara W. Crane. No exhibits were shown or demonstrated, and the above amendment to independent claim 1 was discussed with respect to the cited reference U.S. Patent No. 6,642,100 to Yang et al. Agreement was reached that the above amendments to the independent claims would more clearly distinguish the claims over Yang et al., wherein Applicants agreed to submit the above amendments in writing for the Examiner's consideration and the Examiner agreed to consider the amended claims subject to a possible supplemental search.

#### **II. REJECTION OF CLAIMS 1-28 UNDER 35 U.S.C. § 103.**

Claims 1-28 were finally rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,642,100 to Yang et al. in view of U.S. Patent No. 5,825,068 to Yang. By the above amendment, the independent claims have been amended to specify that the hydrogen barrier is over the ferroelectric capacitor and in

contact with at least a side of the ferroelectric capacitor. The layers 138 and 140 of Yang et al. are not in contact with the capacitor structure 150 thereof, as illustrated in FIGs. 1, 2F, and 2G of Yang et al. Rather, the layers 138 and 140 are separated from the capacitor 150 by the second insulating layer 126, the TiN adhesion layer 125, and the metal interconnection 136. Accordingly, Yang et al. do not appear to teach or suggest formation of the hydrogen barrier as set forth in the amended claims, wherein the secondary reference U.S. Patent No. 5,825,068 to Yang does not appear to remedy the deficiencies of Yang et al. Applicants submit that the pending claims, as amended above, are therefore patentably distinct from Yang et al. and Yang, and accordingly request reconsideration and allowance of claims 1-28 under 35 U.S.C. § 103.


**II. CONCLUSION**

For at least the above reasons, the claims currently under consideration are believed to be in condition for allowance.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 20-0668, TI-35996.

Respectfully submitted,  
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CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: August 11, 2004

  
Christine Gillroy